

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBERT JACKSON,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 06-300-SLR
)	CLASS ACTION
CARL DANBERG, et al.,)	
)	
Defendants.)	

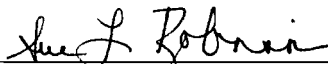
ORDER

At Wilmington this 31st day of July, 2008, having been informed that defendants intend to incorporate into Delaware's lethal injection execution protocol "any additional safeguards that Kentucky['s lethal injection execution protocol] provides" (D.I. 100); and given that Kentucky's lethal injection execution protocol has passed constitutional muster, see Baze v. Rees, 128 S. Ct. 1520 (2008);

IT IS ORDERED that, absent settlement of this case:

1. On or before **August 31, 2008**, defendants shall file with the court, under seal, the revised version of Delaware's lethal injection execution protocol, consistent with the above representations.
2. The court will conduct a telephone conference with counsel on **September 5, 2008 at 8:30 a.m.**, to determine whether there is a need for the **September 10, 2008**

evidentiary hearing to go forward. Defendants' counsel shall initiate the call.



United States District Judge